

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-4, 9, 13, 15, 23-25, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reid (2,859,061) in view of Sheesley (3,531,133).

Reid discloses a flat sealing ring between two surfaces (see Fig. 19). The sealing ring comprises a deformable base 17 completely covered by a protective layer 18 of PTFE. A stiffening ring 16 is provided on an outer circumference of the core/base. As seen in Figure 18, the height of the ring is less than the height of the base. The ring is harder than the core (col. 4, lines 37-38). The ring and layer are made of the same piece of material. The stiffening ring and base ring are joined in a firm/form locking manner in that the integral cover unites the two and the base ring is retained within the cover. Reid discloses the core/base can have any cross-section (col. 4, lines 34-36) but does not appear to disclose the shape required by the claims. Sheesley teaches a gasket shape comprising a center section 24/25 and first and second wings extending directly from the center (e.g. see Figs. 7 or 11) and having planar surfaces. The center section extends beyond the planes. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify cross section of the core/base 17 with the cross-section taught by Sheesley to provide an effective seal that has spaces 25 to receive deformed material.

Regarding claim 28, process limitations (such as vulcanizing or injection molding) in a product claim are given little patentable weight.

3. Claims 2-4, 9, 13, 15, 23-25, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olson (3,355,181) in view of Reid.

Olson discloses a sealing ring comprising a deformable base ring 50 (e.g. Figure 6) bonded or form locked (via connections shown in Figs. 5 and 7) to a stiffening ring 48. The stiffening ring can be made from plastic or metal. The base ring in Figure 6 has the wings and center section required by the claims. Olson does not appear to disclose a protective layer over the base ring and formed from the same piece of material as the stiffening ring. Reid teaches a sealing ring having a base ring 28 and stiffening ring 16. Reid teaches forming an integral cover from stiffening ring to surround and protect the base ring. Reid teaches that PTFE is a suitable material for such covers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the ring of Olson such that the stiffening ring extended over the base ring as an integral cover to protect the base ring as taught by Reid.

Response to Arguments

4. Applicant's arguments filed 4-29-09 have been fully considered but they are not persuasive.

As stated above, Reid is considered to disclose a base ring locked to a stiffening ring in that the integral cover unites the two as a unit and the base ring is locked within it. There are no other limitations in the claims that distinguish the terms firm or form-locked from what is shown in Reid. Further, process limitations in product claims are given little patentable weight. Olson

in view of Reid has also been applied to the claims. Olson shows a base and stiffening ring that can be bonded together or form-firm locked.

Also, as evidenced by the action, the non-compliance/ restriction of 3-13-09 has been withdrawn. It appears there is support for the new limitations in the elected (from election of 7-29-05) embodiment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alison K. Pickard whose telephone number is 571-272-7062. The examiner can normally be reached on M-F (9-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on 571-272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alison K. Pickard/
Primary Examiner, Art Unit 3676

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